

ENTERED

December 29, 2021

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RONALD SIEGEL,

Plaintiff,

VS.

KROGER TEXAS, L.P., *et. al*,

Defendants.

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CIVIL ACTION NO. 4:20-cv-2963

ORDER

Pending before the Court is Plaintiff's Motion for Remand (Doc. No. 27). Defendants have failed to respond in a timely manner and have yet to respond to the motion in any fashion. This Court's Local Rules state that "[f]ailure to respond to a motion will be taken as a representation of no opposition." S. Dist. Tex. L.R. 7.4; see also Hanen L.R. 7(D). As stated above, Plaintiffs failed to respond to Defendant's motion by the Court's December 22, 2021, deadline, and the motion is deemed unopposed. Moreover, the applicable law requires that "[i]f after removal the plaintiff seeks to join additional defendants whose joinder would destroy subject matter jurisdiction, the court may deny joinder, or permit joinder and remand the action to state court." 28 U.S.C. § 1447.

After considering the motion, briefing, relevant law, and local rules, the Court grants Plaintiff's Motion to Remand (Doc. No. 27). It is ordered that this case be remanded to the 61st Judicial District of Harris County, Texas under Cause No. 2020-44610.

Signed at Houston, Texas, this 29th day of December, 2021.



Andrew S. Hanen
United States District Judge